

IFW/S

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120.00

Complete if Known

Application Number 10/790,311
Filing Date March 1, 2004
First Named Inventor Thomas R. BERGER
Examiner Name Jason Y. PAHNG
Art Unit 3725
Attorney Docket No. 021902-139US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 12-1322 Deposit Account Name: Locke Liddell & Sapp LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Fee (\$)			
Each claim over 20 (including Reissues)	50	25			
Each independent claim over 3 (including Reissues)	200	100			
Multiple dependent claims	360	180			
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
- 20 or HP = _____	x _____	= _____		Fee (\$)	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.					
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		
- 3 or HP = _____	x _____	= _____			
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1-Month Extension of Time Surcharge

Fees Paid (\$)

\$120.00

SUBMITTED BY

Signature Monte R. Rhodes Registration No. 54,396 Telephone (713) 226-1326
Name (Print/Type) MONTE R. RHODES Date 01/30/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas R. Berger, *et al.*

Serial No.: 10/790,311

Confirmation No.: 9331

Filed: March 1, 2004

For: FOOD WASTE REDUCTION MECHANISM FOR
DISPOSER

§
§
§
§
§
§
§
§
§
§

Group Art Unit: 3725

Examiner: Jason Y. PAHNG

Att'y Docket: 021902-139US
(formerly: 10807.0139.NPUS00)

REQUEST FOR EXTENSION OF TIME TO RESPOND TO
OFFICE ACTION DATED NOVEMBER 28, 2005

Mail Stop: AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

01/30/06
Date

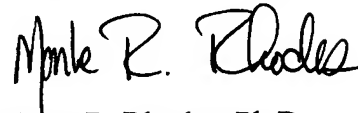
Monika R. Charles
Signature

Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicant petitions for an extension of time of one month to and including January 28, 2006 in which to respond to the Office Action dated November 28, 2005. As January 28, 2006 falls on a Saturday within the District of Columbia, the due date for this action will be the next succeeding business day which is not a Saturday, Sunday, or Federal holiday within the District of Columbia in accordance with 37 C.F.R. § 1.7. Consequently, this extension will make the response due January 30, 2006.

Pursuant to 37 C.F.R. § 1.17, the Commissioner is hereby authorized to deduct the \$120.00 large entity fee for a one-month extension of time from Locke Liddell & Sapp LLP Deposit Account No. 12-1322, referencing matter number 021902.139US.

Respectfully submitted,



Monte R. Rhodes, Ph.D.

Reg. No. 54,396

Customer No. 26720

AGENT FOR ASSIGNEE,
EMERSON ELECTRIC CO.

Locke Liddell & Sapp LLP
3400 JPMorgan Chase Tower
600 Travis Street
Houston, TX 77002-3095
Tel: (713) 226-1326

January 30, 2006
Date

Serial No.: 10/790,311
Extension of Time